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I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231, on the date below:

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Michael C. Barrett
Michael C. Barrett

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Commissioner for Patents
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Technology Center 2600

RE: SN 09/584,162 "POINTING DEVICE WITH BIOMETRIC SENSOR" – David Kinsella

Commissioner:

Transmitted herewith for filing are:

1. An Appeal Brief (*an original and two copies*);
2. An Amendment;
3. A check for \$160.00 to cover the small entity fee for filing an appeal brief; and
4. A return postcard to acknowledge receipt of these materials. Please date stamp and mail this postcard.

If the check is inadvertently omitted, or the amount is insufficient, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included herein, the Commissioner is authorized to deduct or credit said fees from or to Fulbright & Jaworski L.L.P. Account No.: 50-1212/10026193/KINS:002USC2/MCB.

Respectfully submitted,

Michael C. Barrett
Michael C. Barrett
Reg. No. 44,523

MCB/lak
Enclosures